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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED

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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Marco Antonio DAGNINO-Romero

Defendant.

Magistrate Case No.

'08 MJ 0606

DEPUTY

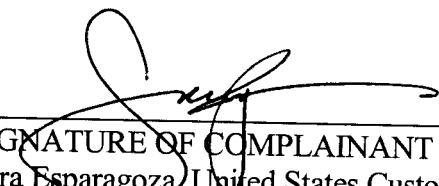
COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section
1324(a)(2)(B)(iii)-
Bringing in Illegal Alien(s)
Without Presentation

The undersigned complainant being duly sworn states:

On or about **February 27, 2008**, within the Southern District of California, Defendant **Marco Antonio DAGNINO-Romero**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Sebastian ROSAS-Escobedo**, **Leticia HERNANDEZ-Garcia**, and **Silvia SANCHEZ-Hernandez**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said aliens, and upon arrival did not bring and present said aliens immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANT
Sara Esparagoza, United States Customs
and Border Protection Enforcement Officer

Sworn to before me and subscribed in my presence, this **29th** day of **February**, 2008.


UNITED STATES MAGISTRATE JUDGE

SvF

PROBABLE CAUSE STATEMENT

The complainant states that **Sebastian ROSAS-Escobedo, Leticia HERNANDEZ-Garcia, and Silvia SANCHEZ-Hernandez** are citizens of a country other than the United States; that said aliens have admitted they are deportable; that their testimony is material; that it is impracticable to secure their attendance at trial by subpoena; and that they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On February 27, 2008 at approximately 1955 hours **Marco Antonio DAGNINO-Romero (Defendant)**, applied for admission to the United States via the San Ysidro Port of Entry vehicle lane six. Defendant was the driver and sole visible occupant of a 2000 white Ford E-350 van. Defendant presented a Permanent Resident Card bearing the name Ruben VAZQUEZ-Mendoza. Defendant stated that he was going to Los Angeles, California. A Customs and Border Protection (CBP) Officer suspected Defendant was an impostor to the Permanent Resident Card. The CBP Officer conducted an inspection of the vehicle and discovered aliens concealed in the cargo area beneath a blanket. The vehicle, Defendant, and concealed aliens were subsequently escorted into secondary.

In secondary, it was determined that the Defendant was, in fact, an impostor to the Permanent Resident Card. A total of fifteen aliens were discovered concealed in the van beneath blankets. The aliens consisted of ten adult males and five adult females. Three of the fifteen concealed aliens were retained as Material Witnesses and are now identified as **Sebastian ROSAS-Escobedo (MW1) Leticia HERNANDEZ-Garcia (MW2) and Silvia SANCHEZ-Hernandez (MW3)**.

During a videotaped interview, Defendant was advised of his Miranda rights. Defendant acknowledged his rights and elected to answer questions without the benefit of counsel. Defendant admitted to being a citizen of Mexico without legal documents to enter the United States. Defendant stated that he was to receive a reduced smuggling fee of \$1000.00 USD from \$3,500.00 USD to drive the vehicle into the United States. Defendant stated that he was aware of one person lying on the floor of the vehicle behind the driver seat. Defendant stated he was instructed to follow another vehicle to an unknown location once in the United States.

Material Witnesses were interviewed and admitted they are citizens of Mexico without legal documents to enter the United States. MW1 stated he was to pay \$3,500 USD to be smuggled into the United States. MW 2 and MW3 stated they were to pay an unknown amount upon being smuggled into the United States. Material Witnesses stated they were going to California and Washington to seek employment.